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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,086	07/13/2001	Clayton Wishoff	ZAPME-01014US1	3518
22907	7590	03/04/2004	EXAMINER	
BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			ZHOU, TING	
			ART UNIT	PAPER NUMBER
			2173	8

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/905,086	WISHOFF, CLAYTON	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-12 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 13 July 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date Z.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference characters “192” in Figure 2, “345” in Figure 4 and “370” in Figure 5.
2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Objections

3. Claims 4 and 11 are objected to because of the following informalities: the word “wit” on line 2 of claims 4 and 11 is misspelled. The intended term should be -- with --. Appropriate correction is required.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Vong et al. U.S. Patent 6,209,011.

Referring to claim 1, Vong et al. teach a system comprising a computer system having a graphical user interface (portable handheld computing device with graphical user interface) (column 2, lines 36-38), a server process in communication with the computer system, wherein the server process at startup containing a set of dispatch functions, each dispatch function represents a message or notification which the server may potentially send to the user via the user interface or desktop (the processing unit notification system determines and dispatches, or sends notifications such as alarms to the user via the user interface) (column 3, lines 21-24 and column 7, lines 31-44), and a display agent, which identifies actionable events and uses the

dispatch function to display a notification of the actionable events in the graphical user interface (displaying the notification of alarms in the graphical user interface, via a dialog box for example) (column 5, lines 8-18 and column 8, lines 16-17). This is further shown in Figures 6 and 7.

Referring to claim 7, Vong et al. teach a method comprising providing a graphical user interface (portable handheld computing device with graphical user interface) (column 2, lines 36-38), providing a client process running on the computer system and in communication with the server process (determining the mechanism for displaying the notification, i.e. by displaying a dialog box or sounding an alarm), providing a server process in communication with the computer system, wherein the server process at startup contains a set of dispatch functions, each dispatch function represents a message or notification which the server may potentially send to the user via the user interface (the processing unit notification system determines and dispatches, or sends notifications such as alarms to the user via the user interface) (column 3, lines 21-24 and column 7, lines 31-44), intercepting those communications from the server process to the client process which require user notification (user can configure different options for displaying the alarms) (column 6, lines 16-20) and relaying them to a display agent, and displaying notification of such events on the graphical user interface (displaying the notification of alarms to the user in the graphical user interface, via a dialog box for example) (column 5, lines 8-18 and column 8, lines 16-17). This is further shown in Figures 6 and 7.

Referring to claims 2 and 9, Vong et al. teach the dispatch function having a set of associated parameters that are defined at Runtime (each notification has associated parameters

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such as the application which initiated the alarm, the type of alert to use in displaying the notification, etc.) (column 5, lines 8-18 and column 6, lines 17-21 and 30-67).

Referring to claims 3 and 10, Vong et al. teach the notification being a ticker tape and the associated parameter is a ticker tape begin message (icons are associated with applications and the display of the taskbar icon alerts the user that a notification is associated with that application), as recited in column 8, lines 7-11 and further shown in Figure 6.

Referring to claims 4 and 11, Vong et al. teach a client process developed so as to define an action for every event it may be concerned with (the type of notification, i.e. whether to sound an alarm, flash the LED, display an icon or pop-up dialog box are defined for every notification), wherein the events are then broadcast to the display agent using a notification feature, such as a pop-up or a ticker tape (the notifications can be displayed to the user via a pop-up dialog box or a ticker tape, or taskbar annunciator icon), as recited in column 4, lines 4-10, column 7, lines 32-44 and column 8, lines 7-17.

Referring to claims 5 and 12, Vong et al. teach the system assigning unique handles to each notification (the alarm manager handles each notification, or alert; for example, each notification could be associated with a different application and set up to be displayed to the user in different manners), as recited in column 7, lines 32-44.

Referring to claim 6, Vong et al. teach a server process running on the user's computer system (determining notifications such as alarms and alerts), a client process running on the user's computer system and in communication with the server process (determining the mechanism for displaying the notification, i.e. by displaying a dialog box or sounding an alarm), and a messaging agent, which translates communications from the server process to the client

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process and relays them to the display agent (the notification manager which sends the alarms to be displayed), as recited in column 3, lines 63-65, column 4, lines 4-10 and column 7, lines 32-44.

Referring to claim 8, Vong et al. teach displaying via a display agent, which identifies actionable events and uses the dispatch function to display a notification of the actionable events in the graphical user interface (displaying the notification of alarms in the graphical user interface, via a dialog box for example) (column 5, lines 8-18 and column 8, lines 16-17).

5. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar interfaces for displaying information to the user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703)305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 18, 2004



RAYMOND J. BAYERL
PRIMARY EXAMINER
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